

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KUO-LIANG CHEN,

No. C 06-6006 CW

Plaintiff,

ORDER TO SHOW CAUSE

v.

CRIMINAL INVESTIGATIONS BUREAU OF THE
REPUBLIC OF CHINA, EPOCH TIMES
INTERNATIONAL, INC., a New York
Corporation and EPOCH TIMES, INC. LOS
ANGELES, a California Corporation,

Defendants.

_____ /

Plaintiff is a resident of California, seeking to bring a claim of defamation against the Criminal Investigations Bureau of the Republic of China (CIB), Epoch Times International, Inc., a New York corporation and Epoch Times, Inc. Los Angeles, a California corporation. Plaintiff also seeks declaratory relief against the CIB. On November 16, 2006, Plaintiff filed a request for international judicial assistance (letter rogatory), asking the


1 Court to seek the assistance of the Chinese government in serving
2 the CIB. The Court now orders Plaintiff to show cause why his
3 claims against the CIB should not be dismissed for lack of subject
4 matter jurisdiction pursuant to 28 U.S.C. § 1604. The Court
5 further orders Plaintiff to show cause why his case should not
6 therefore be remanded to State court in the absence of jurisdiction
7 under 28 U.S.C. § 1330.

8 Plaintiff shall file any response to this order within
9 fourteen days.

10 The request for international assistance (letter rogatory) is
11 denied without prejudice. If the request is refiled after the
12 above issues are resolved, it should not state, as facts,
13 allegations that are disputed. Further, the request for
14 international judicial assistance that Plaintiff asks the Court to
15 sign states that this Court is willing to reimburse the judicial
16 authorities of the Republic of China for costs incurred in
17 executing the letter rogatory. But Plaintiff has not explained how
18 the Northern District of California will reimburse the Chinese
19 government and how Plaintiff will then reimburse the Northern
20 District of California. Before the Court signs a future letter
21 rogatory, Plaintiff must provide the Court with an adequate
22 explanation, or proposal, concerning reimbursement.

23 IT IS SO ORDERED.

24
25 Dated: 12/19/06



26 CLAUDIA WILKEN
27 United States District Judge
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United States District Court
For the Northern District of California

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